Remarks

Claims 23-33 have been added. Claim 12 has been canceled. Claims 1-9, 11, 13-16, 19, 20 and 22 have been amended. Claims 1-11 and 13-33 are pending.

It is respectfully submitted that all of the presently pending claims are allowable, and reconsideration of the application in light of the amendments above and remarks below is respectfully requested.

Acceptance of the drawings filed on August 31, 2001 is respectfully requested in the next Office communication.

Rejection of Claims 1-20 Under 35 U.S.C. § 112, Second Paragraph

Claims 1-20 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. It is respectfully submitted that these claims are definite for at least the following reasons.

As suggested by the Examiner, claims 1-9, 11, 13-16, 19 and 20 have been rewritten to better clarify the subject matter of those claims (although it is respectfully submitted that the claims were definite as presented in view of their original language). It is therefore respectfully submitted that claims 1-20 are definite and allowable. Applicants respectfully request withdrawal of this rejection.

Rejection of Claims 1-22 Under 35 U.S.C. § 103(a)

Claims 1-22 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,801,919 to Hunt et al. ("Hunt").

Claims 1, 11, 21 and 22 provide for detection of a thread-dependent connection.

Hunt clearly fails to disclose or suggest detection of a thread-dependent connection, as provided in claims 1, 11, 21 and 22.

Hunt purports to relate to a method for allowing overlapping database transactions in a multi-threaded environment without the need for thread synchronization for database access. (Abstract, lines 1-4). Hunt states that after a database application is launched, entities are created for communication between the database application and the database. The entities are operable for opening logical connections to the database. After establishing a database connection, a

request for database access causes the entities to create, send and receive database queries between the database application and the database. (Column 1, line 59 to column 2, line 4).

Among other things, nothing in Hunt discloses or suggests, either implicitly or explicitly, the claimed feature of detecting a thread-dependent connection, as provided in claims 1, 11, 21 and 22. Thus, Hunt does not anticipate or make obvious the subject matter of claims 1, 11, 21 and 22.

In support of this rejection, the Examiner concedes that "Hunt does not specifically teach detecting a thread-dependent connection in the back-end processing system." However, the Examiner contends, without support, that "[i]t would have been obvious to one of an ordinary skill in the art at the time of the invention was made, to have recognized that detection have to occur at the database when a connection is requested from an application and an acknowledgement is made to establish the connection."(Office Action, pages 4-5). Applicants respectfully submit that the Office Action fails to show a suggestion in the prior art to add this missing element, but merely reflects hindsight, reconstruction and speculation, and thus does not constitute support a proper obviousness finding.

Given that Hunt does not disclose the claimed limitation of detecting a thread-dependent connection, as provided in claims 1, 11, 21 and 22, it is respectfully requested that the Examiner provide specific evidence to establish the assertions and/or contentions regarding the claim language and Hunt under 37 C.F.R. § 1.104(d)(2). In particular, it is respectfully requested that the Examiner show how Hunt or any other published information provides any suggestion to add the missing element of detection of a thread-dependent connection as specifically recited in the context of the claims 1, 11, 21 and 22. In view of the forgoing, it is respectfully submitted that any claims rejected based on the Examiner's finding of the claimed features in Hunt are allowable for this further reason.

Claims 2-10 depend from independent claim 1. For at least the same reasons discussed in connection with claim 1, Hunt also does not anticipate claims 2-10. Also, claims 2-10 include additional recitations which, in combination with the recitations of independent claim 1, are also neither disclosed nor suggested by Hunt. It is respectfully asserted that claims 2-10 are patentable as well.

Claims 13-20 depend from independent claim 11. For at least the same reasons discussed in connection with claim 11, Hunt also does not anticipate claims 13-20. Also, claims 13-20

include additional recitations which, in combination with the recitations of independent claim 11, are also neither disclosed nor suggested by Hunt. It is respectfully asserted that claims 13-20 are patentable as well.
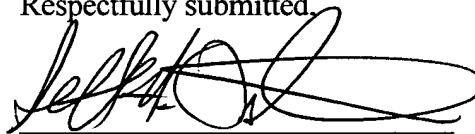
Withdrawal of this rejection is respectfully requested.

Conclusion

It is therefore respectfully submitted that all of claims 1-11 and 13-33 are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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I hereby certify that this paper is being deposited this date with the U.S. Postal Service by Express Mail Label No. EV448081551US to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450

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